

**Federal Defenders
OF NEW YORK, INC.**

Southern District
81 Main Street, Suite 300
White Plains, N.Y. 10601-4150
Tel: (914) 428-7124 Fax: (914) 948-5109

David E. Patton
Executive Director
and Attorney-in-Chief

Southern District of New York

Jennifer L. Brown
Attorney-in-Charge

November 10, 2022

BY ECF and E-MAIL

The Honorable Vincent Briccetti
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Nasir Carter*, 21-cr-372 (VLB)

Dear Judge Briccetti:

I write to request a two-month adjournment of Mr. Carter's sentencing, which is currently scheduled for December 1, 2022. Mr. Carter is facing a mandatory minimum of 15 years, with higher guidelines.

The requested adjournment will allow continuing discussions between the government and defense counsel regarding two developments. First, additional mitigation came to light after the initial plea negotiations concluded. Defense counsel believes this information is relevant and would like to present it to the government for its consideration. Second, Mr. Carter is exploring how his plea might be affected by *United States v. Taylor*, 142 S. Ct. 2015 (2022), a Supreme Court case that arguably sheds doubt on whether Hobbs Act Robbery is a valid predicate for 18 U.S.C. § 924(c).

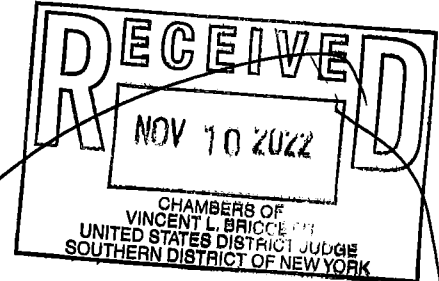
Defense counsel has discussed this continuance with Assistant United States Attorney Jeffrey Coffman. He has no objection. I have discussed this requested continuance with Mr. Carter. He understands the reason for the request and has no objection.

Sincerely,



Rachel S. Martin
Assistant Federal Defender

cc: Nasir Carter
Jeffrey Coffman, AUSA



**APPLICATION GRANTED
SO ORDERED:**

VB
Vincent L. Briccetti, U.S.D.J.

Dated: 11/10/22
White Plains, NY

Sentencing adjourned

*> to 2/1/2023 at 2:30 pm.
Defense submission due 1/18/2023.
Government submission due 1/25/2023.*